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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,654	07/17/2003	Carrie Roberts	10019481-5	3849

7590 11/02/2005
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LIANG, LEONARD S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/622,654	Applicant(s) ROBERTS ET AL.	
	Examiner Leonard S. Liang	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/11/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: The specification does not mention that this case is a continuation of case 10/194467.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 31-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Shigeru (JP Pat 11005340 A).

Shigeru discloses:

- {claim 31} A printing mechanism comprising: a printhead that defines a printzone; and means for maintaining plural sheets of print media including an exposed sheet stationary with respect to the means during printing, the means for maintaining moving through the printzone during printing by the printhead on the exposed sheet (figure 1, 3-4; abstract)
- {claim 32} wherein the means for maintaining moves a stack of print media through the printzone during printing (figure 1, 3-4; abstract)
- {claim 33} wherein a top sheet of the stack is exposed to the printhead during printing (figure 1, 3-4; abstract)

- {claim 34} wherein the means for maintaining supports the plural sheets generally across an entire lower surface of a lowermost sheet of the plural sheets during printing (figure 1, 3-4; abstract)
- {claim 35} means for stationarily supporting plural sheets of print media including an exposed sheet relative to the means for supporting during printing on the exposed sheet; advancing means for advancing the means for supporting through a printzone during printing on the exposed sheet; and printing means for printing on the exposed sheet as the means for supporting is advanced through the printzone (figure 1, 3-4; abstract)
- {claim 36} wherein the means for supporting supports the plural sheets in a generally flat orientation during printing on the exposed sheet (figure 1, 3-4; abstract)
- {claim 37} a printhead that defines a printzone plane; and print media support structure that moves an exposed sheet parallel to the printzone plane during printing on the exposed sheet, and the support structure including a mechanical biasing device that biases the exposed sheet perpendicular to the printzone plane and into a predetermined printing position with respect to the printhead during printing on the exposed sheet (figure 1, 3-4; abstract)
- {claim 38} wherein the support structure further includes a sheet retention device and wherein the mechanical biasing device biases the exposed sheet against the sheet retention device during printing on the exposed sheet (figure 1, 3-4; abstract)

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- {claim 39} wherein the support structure moves a stack of sheets parallel to the printzone plane during printing, wherein the exposed sheet is a top sheet of the stack of sheets, and wherein the mechanical biasing device biases the stack of sheets perpendicular to the printzone plane such that the exposed sheet is biased into the predetermined printing position with respect to the printhead during printing on the exposed sheet (figure 1, 3-4; abstract)
- {claim 40} mechanically biasing an exposed sheet in a direction perpendicular to a printzone plane and into a predetermined printing position; moving the exposed sheet parallel to the printzone plane during printing on the exposed sheet; and supporting the exposed sheet generally across an entire planar surface of the exposed sheet during printing on the exposed sheet (figure 1, 3-4; abstract)
- {claim 41} mechanically biasing a stack of sheets in a direction perpendicular to the printzone plane, wherein the exposed sheet is a top sheet of the stack of sheets; moving the stack of sheets parallel to the printzone plane during printing on the exposed sheet; and supporting the stack of sheets generally across an entire planar surface of a lowermost sheet of the stack of sheets during printing on the exposed sheet (figure 1, 3-4; abstract)

Response to Arguments

Applicant's arguments with respect to claims 31-41 have been considered but are moot in view of the new ground(s) of rejection. The examiner would like to note however that this does not imply that the applicant's arguments with regards to the previous rejection were persuasive.

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The examiner has simply issued this new non-final rejection because this rejection is believed to be stronger than the previous one. However, the examiner believes that the previous rejection was also valid.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Obara (US Pat 6893176) discloses a label printer for optical disk such as CD.

Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 07/11/05 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S. Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MANISH S. SHAH
PRIMARY EXAMINER

10/31/05